

GEORGIA STATE BOARD OF ACCOUNTANCY

Board Meeting: September 28, 2005

Minutes Approved by Board on November 30, 2005

A meeting of the Georgia State Board of Accountancy was held on Wednesday, September 28, 2005, at the Office of the Division Director, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:

Michael W. Skinner, CPA and Chairman
E. J. Maddocks, CPA and Vice Chairman
W. Carter Bates, III, Consumer Member
C. Ben Hill, CPA
J. Sam Johnson, CPA
T. Farrell Nichols, CPA

Others present:

Gwyn H. Ridley, Executive Director
Sherry Harrison, Applications Specialist
Marie S. Urquhart, Board Secretary
Ireca L. Rose, Board Secretary
Janet Wray, Board Attorney
Aynsley Harrow, Mercer Law Student*
(*Student working as Legal Intern for Legal Services, Professional Licensing Boards)
Eric Mull, Mercer Law Student*
(*Student working as Legal Intern for Legal Services, Professional Licensing Boards)
Norma J. Ogle, Executive Director, Georgia Association of Public Accountants (GAPA)

Chairman Skinner established a quorum was present at 9:31 a.m. and called the meeting to order.

Mr. Maddocks made a motion to approve the minutes as corrected of the August 25, 2005 meeting. Mr. Hill seconded the motion. The motion carried unanimously.

The Board held a public hearing at 9:40 a.m. regarding adoption of the proposed amendments to Rules 20-1-.01 - Organization of Board; 20-1-.02 - Officers; 20-4 – Examinations, Applications for Certificates, and Temporary Permits – Registered Public Accountants; 20-8 – Individuals, Partnerships, Associations Composed of Registered Public Accountants; 20-10-.01 – Permits to Practice Issued to Individuals; 20-11-.01 - Introduction; 20-11-.02 - Requirements; 20-11-.03 – Programs Which Qualify; 20-12-.16 – Form of Practice; 20-12-.17 – Firm Names; and 20-14-.01 – Procedural Rules. No written comments were received and no interested party attended the hearing. The public hearing was adjourned at 9:50 a.m. The Board meeting was reconvened at 9:50 a.m. by Chairman Skinner. Mr. Johnson made a motion to adopt the proposed amendments to Rules 20-1-.01 - Organization of Board; 20-1-.02 - Officers; 20-4 – Examinations, Applications for Certificates, and Temporary Permits – Registered Public Accountants; 20-8 – Individuals, Partnerships, Associations Composed of Registered Public Accountants; 20-10-.01 – Permits to Practice Issued to Individuals; 20-11-.01 - Introduction; 20-11-.02 - Requirements; 20-11-.03 – Programs Which Qualify; 20-12-.16 – Form of Practice; 20-12-.17 – Firm Names;

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and 20-14-.01 – Procedural Rules. Mr. Maddocks seconded the motion. Members Bates, Hill, Johnson, Maddocks, Nichols, and Skinner voted to adopt the rules as posted. (See Attachment s #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, and #11.)

Mr. Maddocks made a motion to enter into **Executive Session** in accordance with O.C.G.A.43-1-2(k) and 43-1-19(h) to deliberate on applications and investigative matters and to receive an investigative report. Mr. Nichols seconded the motion. Voting in favor of the motion were those members present who included Board Members Bates, Hill, Johnson, Maddocks, Nichols, and Skinner. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

Applications:

Mr. Bates made a motion to **approve** the following licensure applications that met certification requirements. Mr. Maddocks seconded the motion. The motion carried unanimously.

CPA Certificates:

Name	Licensing Method	License No.
Darrick Harper Alford	Examination	CPA024919
Cheryl Marie Anderson	Examination	CPA024920
Amy Johnson Bickerstaff	Examination	CPA024921
Michelle Tamsen Boulineau	Examination	CPA024922
Leslie Brooke Buice	Examination	CPA024923
Donna Marie Carr	Examination	CPA024924
Richard Edward Cobb	Examination	CPA024925
Lynn Diane Connison	Examination	CPA024926
Lindsay Leigh Culotta	Examination	CPA024927
Robert Gregory Dahl	Examination	CPA024928
Marianne Elizabeth Detling	Examination	CPA024929
Aniebiet M. Ekanemesang	Examination	CPA024930
J. Michelle Gibbs	Examination	CPA024931
Gwendolyn Janel Gladman	Examination	CPA024932
William Bussey Hammack, Jr.	Examination	CPA024933
Christopher W. Holmstrom	Examination	CPA924934
Jennifer L. Howard	Examination	CPA024935
Nancy Estelle Jackson	Examination	CPA024936
Nicole Shamala Lake	Examination	CPA024937
Tiffani M. Lamprecht	Examination	CPA024938
Audra C. Hennigan	Examination	CPA024939
Virginia Diane Moyer	Examination	CPA024940
Krishna Chaitanya Pakala	Examination	CPA024941
Seonhee Park	Examination	CPA024942
Derek Benjamin Rawls	Examination	CPA024943
William Miller Robinson	Examination	CPA024944
Darlene Rodriguez	Examination	CPA024945

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Deann Elise Seymour	Examination	CPA024946
Virginia Ann Shelby	Examination	CPA024947
Angela Ying Tang	Examination	CPA024948
Manisha Verma	Examination	CPA024949
Hanchin Wang	Examination	CPA024950
Yun Jane Zeng	Examination	CPA024951
Theresa Lynn Barnett	Reciprocity	CPA024952
Sabine K. Claster	Reciprocity	CPA024953
Clayton Benjamin Dean, Jr.	Reciprocity	CPA024954
Alan Anthony Eck	Reciprocity	CPA024955
Abby White Gardner	Reciprocity	CPA024956
Michael Wayne Gardner	Reciprocity	CPA024957
James M. Havel	Reciprocity	CPA024958
Kevin Jerome Kelly	Reciprocity	CPA024959
Brian D. Lay	Reciprocity	CPA024960
Vincent David Luccitelli	Reciprocity	CPA024961
Robert Scott Persons	Reciprocity	CPA024962
Tanya Elizabeth Pope	Reciprocity	CPA024963
Deborah Lynn Reeder	Reciprocity	CPA024964
Emily Ann Rhodin	Reciprocity	CPA024965
John William Sadoff, Jr.	Reciprocity	CPA024966
Harry Torres	Reciprocity	CPA024967
William Charles Witt, III	Reciprocity	CPA024968
Lauren J. Wolfe	Reciprocity	CPA024969
Tracey-Ann Marie Young	Reciprocity	CPA024970

The following applicants provided additional information regarding their applications and to appeal the Board's disapproval of their applications:

Nancy Estelle Jackson: After considering additional information provided, Mr. Maddocks made a motion to **approve** her application. Mr. Hill seconded the motion. The motion carried unanimously.

Deborah Lynn Reeder: After considering additional information provided, Mr. Maddocks made a motion to **approve** her application. Mr. Bates seconded the motion. The motion carried unanimously.

David Phillips: The Board reviewed additional information concerning the requirements for licensure. The Board reiterated that its law and rules preclude the issuance of a license without meeting all of the requirements.

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Correspondence, Requests, and Inquiries - Firms:

Temporary Permit:

Glen M. Dyrda – PriceWaterhouseCoopers, LLC: After reviewing correspondence and information provided concerning an application for a Temporary Permit, Mr. Nichols made a motion that a Temporary Permit was not required if the firm was registered in Georgia. Mr. Bates seconded the motion. The motion carried unanimously.

The following firm requested an extension to meet peer review requirements:

Darryl A. James, CPA, PC: After reviewing the request for an extension of time to meet the peer review requirements for the renewal of his firm registration, Mr. Johnson made a motion to grant an extension until December 31, 2005. Mr. Maddocks seconded the motion. The motion carried unanimously.

Investigative Report:

The Board heard a report from the Enforcement Committee on behalf of the Investigative Unit:

ACCT040042 – Close the case

Mr. Maddocks made a motion to **approve** the Committee's recommendation. Mr. Nichols seconded the motion. The motion carried unanimously.

The Board heard a report from the Enforcement Committee:

Mr. Skinner presented the following recommendations of the Enforcement Committee.

ACCT050059 – Close the case.

ACCT050095 – Close the case.

Mr. Maddocks made a motion to **approve** the Committee's recommendations. Mr. Nichols seconded the motion. The motion carried unanimously.

ACCT050100 – The Board reviewed information on the case. Mr. Maddocks made a motion to proceed with disciplinary action. Mr. Nichols seconded the motion. The motion carried unanimously.

ACCT050101 – Close the case.

ACCT060007 – Close the case.

Mr. Maddocks made a motion to **approve** the Committee's recommendations. Mr. Johnson seconded the motion. The motion carried unanimously.

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Richard Stalvey: After reviewing information that the licensee had met conditions of a signed Consent Order, Mr. Maddocks made a motion to change licensee from probation status to active status, and to close the case. Mr. Nichols seconded the motion. The motion carried unanimously.

The Board heard a report from the following staff members:

The Board Attorney updated the Board and provided a written status report of cases and advice referred for action.

The Executive Director updated the Board on the following items of interest:

- Applications revision
- Temporary permit application changes
- Renewal information

Policy Adoption:

Mr. Maddocks made a motion to adopt a policy authorizing staff to use the date CPA Examination Services receives the “Application for Academic Credential Evaluation to Obtain Licensure in Georgia” as the receipt date of application when reviewing applicant’s qualifying work experience. Mr. Nichols seconded the motion. The motion carried unanimously.

Correspondence, Requests, Inquiries and Information Items:

Jamie Majni: The Board reviewed correspondence concerning a temporary inactive status for Georgia CPA licenses. The Board voted to notify licensee that its law and rules do not provide for Inactive status and to refer to the rules on reinstatement.

Scott McCord: The Board reviewed correspondence concerning the audit report signer. The Board voted to advise him that there is no specific Rule on this subject or any discussion in literature for reporting standards, and to rely on the Standards of the Profession at AICPA.

The Board reviewed other miscellaneous correspondence and information that did not require a vote or action.

NASBA:

Mr. Maddocks made a motion to elect Michael W. Skinner as delegate to the Annual meeting. Mr. Hill seconded the motion. The motion carried unanimously.

The Board discussed the October deadline for comments concerning the Exposure Draft of the Uniform Accountancy Rules 5-1 and 5-2.

The Board discussed other items of interest relating to NASBA.

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Other Business:

There was no further business and the meeting was adjourned at 11:25 a.m.

Marie S. Urquhart
Recorded by Board Secretary

Gwyn H. Ridley
Reviewed by Executive Director

Michael W. Skinner
Chairman
Board Approved November 30, 2005

Mollie L. Fleeman
Mollie L. Fleeman
Division Director

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Attachment #1
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Accountancy Board Minutes

**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR ORGANIZATION CHAPTER 20-1**

Rule 20-1-.01 Organization of Board

Purpose: Describes the Board member composition.

Main Features: Deletes registered public accountant, specifies six certified public accountants as members, and replaces State Examining Boards with Professional Licensing Boards Division.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR ORGANIZATION**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

All Rules and Regulations pertaining to the administration of the State Board of Accountancy shall be administered by the Professional Licensing Boards of the Office of Secretary of State under the direction of the Division Director of the ~~State Examining Boards~~. Professional Licensing Boards Division The office of the Division Director is located at 237 Coliseum Drive, Macon, Georgia 31217-3858.

20-1-.01 Organization of Board.

The Board shall consist of seven members to be appointed by the Governor with the approval of the Senate. Each member of the Board shall be a resident of this State. ~~Five~~ Six members of the Board shall be certified public accountants, ~~and one member shall be a registered public accountant~~, all of whom shall hold a permit to practice public accounting issued under Code Section 43-3-24. One member shall be appointed from the public at large and shall be a person to whom neither this state nor any other state has ever issued a certificate, registration, license, or permit to engage in the practice of public accounting. The Board shall annually elect a chairman. The public may obtain information and submit requests at the Office of the Division Director, ~~State Examining~~ Professional Licensing Boards Division.

Authority: O.C.G.A. §§43-1-2, 43-1-3, and 43-3-3

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Attachment #2
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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR ORGANIZATION CHAPTER 20-1**

Rule 20-1-.02 Officers

Purpose: Designates Chairman and Vice Chairman as officers of the Board.

Main Features: Replaces State Examining Boards with Professional Licensing Boards Division.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR
ORGANIZATION**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-1-.02 Officers.

The Officers of this Board shall be a Chairman and Vice Chairman, who shall be elected from the members at each annual meeting and shall serve for the term of one year or until their successors have been elected and qualified. The Division Director of the ~~State Examining~~ Professional Licensing Boards Division shall be the secretary of the Board. An annual meeting shall be held for the purpose of electing officers.

Authority: O.C.G.A. §43-3-4

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Attachment #3
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Accountancy Board Minutes

**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR EXAMINATIONS, APPLICATIONS FOR
CERTIFICATES AND TEMPORARY PERMITS - REGISTERED PUBLIC
ACCOUNTANTS CHAPTER 20-4**

Rule 20-4-.01 Examination, 20-4-.02 Qualification of Applicants, 20-4-.03 Applications for Examination, 20-4-.04 Number of Sitzings, Passing Grade and Granting of Credit, Release of Grades and Completion of Examination, 20-4-.05 Cheating, 20-4-.06 Examination Credits from Other States, 20-4-.07 Examination Fee, 20-4-.08 Application for RPA Certificate, 20-4-.09 Reciprocal Certificates, 20-4-.10 Temporary Permits

Purpose: Provides requirements for examination, temporary permits and licensing for registered public accountants.

Main Features: Deletes the entire chapter relating to registered public accountants.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR EXAMINATIONS,
APPLICATIONS FOR CERTIFICATES AND TEMPORARY PERMITS - REGISTERED
PUBLIC ACCOUNTANTS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-4-.01 Examination. Amended. ~~The Uniform CPA Examination shall be the examination provided for in O.C.G.A. Section 43-3-14.~~

20-4-.02 Qualification of Applicants. Amended.

~~In order to be eligible for examination, an applicant must have received a high school diploma or completed the requirements thereof or what the Board determines to be the substantial equivalent of the foregoing.~~

20-4-.03 Applications for Examination. Amended.

~~(1) All applications for examination and re-examination, together with the required fee, shall be submitted to the designated agent of the Board by the application deadline on the application materials. It is the responsibility of the applicant to make timely delivery of the appropriate form and designated fee.~~

~~(2) The Board, through its designated agent, will provided reasonable accommodation to a qualified applicant with a disability in accordance with the Americans With Disabilities Act.~~

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The request for an accommodation by an individual with a disability must be in writing and received by the designated agent of the Board by the application deadline along with appropriate documentation, as indicated in the Request for Disability Accommodation Guidelines.

~~20-4-.04 Number of Sitzings, Passing Grade and Granting of Credit, Release of Grades and Completion of Examination. Amended.~~

~~(1) Under the paper and pencil examination, a candidate for certification is subject to the following:~~

~~(a) at any sitting, the candidate must sit for all sections for which he has not yet received a passing grade. Failure to sit for all sections for which a passing grade has not been received will result in no credit being given for any section at that sitting.~~

~~(b) a grade of at least 75 is hereby prescribed as a passing grade for each section.~~

~~(c) a candidate shall be required to pass all sections of the Examination in order to qualify for a certificate. If at a given sitting of the Examination, a candidate passes two or more, but not all sections, the candidate shall be given credit for those sections passed, and need not sit for reexamination in those sections, provided:~~

~~(1) the candidate wrote all sections of the Examination at that sitting;~~

~~(2) the candidate attained a minimum grade of 50 on each section not passed at that sitting;~~

~~(3) the candidate passes the remaining sections of the Examination within nine consecutive examinations given after the one at which the first sections were passed;~~

~~(4) at each subsequent sitting at which the candidate seeks to pass any additional sections, the candidate writes all sections not yet passed; and~~

~~(5) In order to receive credit for passing additional sections in any such subsequent sitting, the candidate attains a minimum grade of 50 on sections written but not passed on such sitting.~~

~~(d) An approved candidate of this State may sit for the Examination under the supervision of another state board provided the candidate complies with all applicable rules of this Board.~~

~~(e) Each applicant will receive in writing the grade earned on each section of the Examination.~~

~~—(f) A candidate shall be deemed to have passed the Examination when he has been granted credit for all sections.~~

~~(2) Effective with the implementation with the computer based examination, a candidate may take the required test sections individually and in any order. Except as provided in paragraphs (3), (4), and (5) of this rule, credit for any test section(s) passed shall be valid for eighteen months from the actual date the candidate took that test section, without having to attain a~~

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~~minimum score on any failed test section(s) and without regard to whether the candidate has taken other test sections. The candidate shall also be subject to the following:~~

~~(a) candidates must pass all four test sections of the Uniform CPA Examination within a rolling eighteen month period, that begins on the date that the first test section is passed.~~

~~(b) candidates cannot retake a failed test section(s) in the same examination window. An examination window refers to a three month period in which candidates have an opportunity to take the examination (comprised of two months in which the examination is available to be taken and one month in which the examination will not be offered while routine maintenance is performed and the item bank is refreshed). Thus, candidates will be able to test two out of three months within an examination window.~~

~~(c) in the event all four test sections of the examination are not passed within the rolling eighteen month period, credit for any test section(s) passed outside the eighteen month period will expire and that test section(s) must be retaken.~~

~~(3) Effective with the implementation with the computer based examination, candidates having unexpired conditional credits on the paper and pencil examination will retain conditional credits for the corresponding test sections of the computer based examination as follows:~~

Paper and Pencil Examination	Computer-Based Examination
Auditing	Auditing and Attestation
Financial Accounting and Reporting (FARE)	Financial Accounting and Reporting
Accounting and Reporting (ARE)	Regulation
Business Law and Professional Responsibilities (LPR)	Business Environment and Concepts

~~Such candidates will be allowed until October 31, 2005 or eighteen months from the first administration of the computer based examination, whichever is longer, to complete any of the remaining test sections of the examination before the credits earned under the paper and pencil examination expire and the candidate loses credit.~~

~~(4) A first time applicant who passes any section of the computer based examination during the six months immediately following the first administration of the computer based examination in Georgia shall retain credit for that section for a 24 month period beginning with the date the section of the exam was passed. At the end of the 24 month period, credit for that section expires. The section may be re-taken pursuant to paragraph (2) of this rule.~~

~~(5) The Board may extend the term of conditional credit validity in cases of substantial hardship as determined by the Board in its discretion.~~

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~~—(6) A candidate shall be deemed to have passed the examination once the candidate holds, at the same time, valid credit for passing each of the four test sections of the examination. For purposes of this section, credit for passing a test section of the computer-based examination is valid from the actual date of the testing event for that test section, regardless of the date the candidate actually received notice of the passing grade.~~

~~20-4-.05 Cheating. New.~~

~~(1) Cheating by a candidate in applying for, taking or subsequent to the examination will be deemed to invalidate any grade otherwise earned by a candidate on any test section of the examination and may warrant summary expulsion from the test site and disqualification from taking the examination for a specified period of time.~~

~~(2) For the purposes of this rule, the following actions or attempted activities, among others, may be considered cheating:~~

~~(a) falsifying or misrepresenting educational credentials or other information required for admission to the examination;~~

~~(b) communication between candidates while the examination is in progress both inside or outside the test site or copying another candidate's answers;~~

~~(c) communication with others inside or outside the test site while the examination is in progress;~~

~~(d) substitution of another person to sit in the test site in place of the actual candidate;~~

~~(e) violating the nondisclosure prohibitions of the examination or aiding or abetting another in doing so; or~~

~~(f) retaking or attempting to retake a test section by a individual holding a valid certificate or by a candidate who have unexpired credit for having already passed the same test section, unless the individual or candidate has been expressly directed to retake the test section pursuant to a Board order or expressly authorized by the Board to retake the test section to participate in a "secret shopper" program.~~

~~(3) In any case where it appears that cheating has occurred or is occurring, the candidate may be summarily expelled from the examination or moved to a position in the test site away from other examinees where the candidate may be watched more closely. Evidence of cheating is grounds for denial of a license.~~

~~20-4-.06 Examination Credits from Other States. New.~~

~~The Board will accept credit on the Uniform Certified Public Accountant examination earned as a candidate of another state provided the candidate meets the legal requirements of this State for admission to the examination and that the credits which were earned in such state would have been earned had the rules of Section 20-4-.04 above been in effect.~~

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~~20-4-.07 Examination Fee. Amended.~~ Fees for the administration of the examination will be established in order that all costs for examination administration are recovered. All fees related to the examination shall be published on the applications for examination.

~~20-4-.08 Application for RPA Certificate. Amended.~~

~~(1) Upon passing all parts of the examination prescribed in Rule 20-4-.04, a candidate believing himself to be otherwise qualified may apply for a certificate as a registered public accountant. The application form is obtainable from the Office of the Board. Said candidate shall demonstrate to the satisfaction of the Board that said candidate has:~~

~~(a) attained the age of 18;~~

~~(b) good moral character (for the purposes of this rule, "good moral character" means fiscal integrity and a lack of any history of acts involving dishonesty or moral turpitude);~~

~~(c) presented to the Board evidence that the candidate has received a high school diploma or completed the requirements thereof or what the Board determines to be the substantial equivalent of the foregoing;~~

~~(d) two years' continuous experience in public accountancy immediately preceding the date of application for the certificate or within a reasonable time prior to the date of such application as provided herein by rule, or evidence satisfactory to the Board of five years' continuous employment in the accounting field in industry, business, government, or college teaching; any combination of the above; or any combination of the above and practice in public accountancy immediately preceding the date of application for the certificate or what the Board determines to be the equivalent thereof; and~~

~~(e) submitted the application fee as established by the Board in its fee schedule.~~

~~(2) The qualifying experience of a candidate for certification must be meaningful with respect to qualifying the candidate for the practice of public accounting. The experience will be evaluated by the Board according to the following criteria:~~

~~(a) Qualifying experience in public accounting shall mean employment as a staff accountant by a practicing certified public accountant or registered public accountant holding a current permit to practice or a firm of such duly licensed accountants who are certified, registered or licensed to practice public accounting in the State or by the duly constituted laws of any other sovereign state or country. The qualifying experience in subsection (2)(a) must be at least two (2) years in duration and must include a minimum of 4,000 hours. Such experience shall be supervised by a person who holds a live permit as a certified public accountant or registered public accountant.~~

~~(b) Qualifying experience in lieu of such years of experience in public accounting shall mean employment in the accounting field in industry, business, government or college teaching, or any combination of the above and experience in public accounting. Self-employment experience~~

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~~shall not be considered qualifying experience. The qualifying experience in subsection (2)(b) must be at least five (5) years in duration and must include a minimum of 10,000 hours. Such experience in industry, business, government or college teaching must be properly supervised, have sufficient quality and depth, and meet one of the following criteria for the duration of that qualifying experience.~~

~~1. For qualifying experience in industry or business the candidate must (a) have been employed by a person or entity in the performance of duties primarily involving the use of financial accounting and auditing skills, which follow GAAP; and, (b) have been supervised by a person who holds a current permit or registration to practice public accounting as a certified public accountant or registered public accountant licensed by this State or by the duly constituted laws of any other sovereign state or by the equivalent licensed by another country and who is employed in the entity for which the candidate seeks qualifying experience. In addition, the candidate may have performed duties involving (1) the installation of internal control systems; or (2) compliance with accounting aspects of tax or regulatory laws.~~

~~2. For qualifying experience in government, the candidate must have been employed by a federal, state, or local government agency which is appropriated public funds and whose employees are considered public employees and which is recognized by the Board as having the responsibility and organizational structure for performing auditing and accounting functions.~~

~~3. For qualifying teaching experience, the candidate must have taught courses primarily in the accounting discipline for academic credit at an accredited four year college or university in at least two different areas of accounting above the introductory or elementary level.~~

~~4. Such other criteria as the Board may consider to be substantially equivalent to the foregoing.~~

~~(c) Supervisions shall mean "the act of directing and inspecting the performance of."~~

~~(3) The qualifying experience must be continuous experience obtained within a reasonable time prior to the date of application for the certificate. The date of application shall be the date the application is received in the Board office.~~

~~(a) Continuous experience shall be uninterrupted experience during the time period in which the required experience was earned, provided, however, that a break in continuity of employment for a reasonable duration in any of the following circumstances may be treated as an acceptable break:~~

~~1. involuntary termination by an employer;~~

~~2. illness;~~

~~3. full time school attendance at a two or four year college or university;~~

~~4. maternity leave;~~

~~5. military leave;~~

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~~6. relocation; or~~

~~7. a break for any other reason for not more than one year.~~

~~Any periods of time deemed to be acceptable breaks shall not be counted as part of the two or five years of qualifying experience.~~

~~(b) If any application is dated and filed not more than one year subsequent to completion of qualifying experience, the experience shall be presumed by the Board to have been obtained within a reasonable time prior to the date of such application.~~

~~(c) Any other circumstances shall be reviewed by the Board on a case by case basis in its sole discretion.~~

~~20-4-.09 Reciprocal Certificates. Amended.~~ A person desiring a reciprocal certificate as a registered public accountant in this State on the basis of a certificate and current permit to practice public accounting in another state must apply upon a form for the purpose provided by the Board and obtainable from its offices. The application must be accompanied by a fee as established by the Board in its fee schedule.

~~20-4-.10 Temporary Permits. Amended.~~

~~(1) Applications for temporary permits to practice shall be made on a form provided by the Board and obtainable from its offices. The application must be accompanied by a fee as established by the Board in its fee schedule.~~

~~(2) Each application shall be accompanied by a statement of the applicant or, if it is a partnership or corporation, by a statement of a partner or shareholder of the applicant;~~

~~(a) showing that the applicant is duly licensed to practice as a registered public accountant or a firm of registered public accountants in another state;~~

~~(b) identifying the specific professional engagement to be performed in this State pursuant to the temporary permit; and~~

~~(c) stating the name and office address of each person who will be engaged in the performance of the engagement in this State.~~

~~(3) Each temporary permit shall be valid for no longer than 90 days and may be renewed upon filing proper application and payment of a renewal fee as established by the Board in its fee schedule.~~

Authority: O.C.G.A. §43-3-13

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Attachment #4
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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS
COMPOSED OF REGISTERED PUBLIC ACCOUNTANTS
CHAPTER 20-8**

Rule 20-8-.01 Registration

Purpose: Describes firm registration requirements of registered public accountants.

Main Features: Deletes the entire chapter related to firm registration requirements for registered public accountants.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR INDIVIDUALS,
PARTNERSHIPS, ASSOCIATIONS COMPOSED OF REGISTERED PUBLIC
ACCOUNTANTS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

~~20-8-.01 Registration.~~

~~(1) Individuals, partnerships or associations composed of registered public accountants engaged in public accounting in this State as of the effective date of this Act on the 1st day of July, 1977, shall make application for registration, as required under Section 43-3-22 of the Act, upon forms for that purpose provided by the Board and obtainable from its Office.~~

~~(2) After the effective date of this Act, a new individual, partnership or association composed of registered public accountants about to engage in the practice of public accounting in this State, shall make application for registration under the appropriate Section upon a form provided by the Board and obtainable from its Office. Upon such application being found sufficient and in order, and the applicant found eligible for registration, the applicant;~~

~~(a) Will be forthwith registered under the appropriate Section of the Act;~~

~~(b) Will have its office(s) as designated in the application forthwith registered under Section 43-3-23 of the Act;~~

~~(c) Will be issued a permit to practice public accounting in this State; and~~

~~(d) Will be notified accordingly.~~

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~~(3) Notice shall be given to the Board within thirty days of the admission to or withdrawal of a partner or stockholder from any registered partnership or association. Notice shall also be given within thirty days of any mere change of name. In these cases the Board may elect to issue a new registration of the partnership or association.~~

~~(a) On the other hand, if a partner is admitted or a partner withdraws, and in connection therewith there is a change of name, then and then only it is to be regarded for the purpose of this Rule as a new partnership which must file an application for registration and a permit.~~

~~(4) Registration permits will expire on June 30, of each even numbered year beginning on June 30, 1984, and shall become renewable at least sixty (60) days prior to the expiration date. It is the policy of the Board to mail notices of pending expiration dates to licensees at their last known addresses, but failure to receive such a notice does not relieve the licensee of this obligation to register.~~

Authority: O.C.G.A. §§43-3-13 and 43-3-21

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR PERMITS TO PRACTICE ISSUED TO INDIVIDUALS
CHAPTER 20-10**

Rule 20-10-.01 Permits to Practice Issued to Individuals

Purpose: Specifies permit requirements to engage in the practice of public accountancy.

Main Features: Deletes the reference to registered public accountants.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR PERMITS TO
PRACTICE ISSUED TO INDIVIDUALS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-10-.01 Permits to Practice Issued to Individuals.

A permit to engage in the practice of public accountancy in the State of Georgia will be issued to each person who has been approved for certification as a certified public accountant ~~or registered public accountant~~.

Authority: O.C.G.A. §§ 43-3-5, 43-3-7, and 43-3-13

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR CONTINUING PROFESSIONAL EDUCATION
CHAPTER 20-11**

Rule 20-11-.01 Introduction

Purpose: Establishes requirements for continuing professional education.

Main Features: Deletes references to registered public accountants.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR CONTINUING
PROFESSIONAL EDUCATION**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-11-.01 Introduction.

(1) Certified Public Accountants ~~and Registered Public Accountants~~ by virtue of their training have been certificated or ~~registered~~ licensed by the State Board of Accountancy and therefore are eligible to provide the public with needed professional services not otherwise available. In furnishing these services the professional accountant occupies a unique position of public trust. It is essential in maintaining this trust that each accountant continuously strive to increase his technical skills and his understanding of the whole accounting body of knowledge.

(2) Pursuant to the provision of Section 43-3-25 of this Act, the Board prescribes the following regulations establishing requirements of continuing professional education to be met from time to time by certified public accountants, ~~registered public accountants~~ and registered foreign accountants in order to demonstrate that they are continuing their professional education as a condition to continuing to practice as public accountants.

Authority: O.C.G.A. §§43-3-5, 43-3-6, 43-3-13, and 43-3-25

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR CONTINUING PROFESSIONAL EDUCATION
CHAPTER 20-11**

Rule 20-11-.02 Requirements

Purpose: Specifies continuing professional education requirements for renewal.

Main Features: Deletes references to registered public accountants.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR CONTINUING
PROFESSIONAL EDUCATION**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-11-.02 Requirements. Amended.

(1) An applicant for renewal of his individual permit to practice as a certified public accountant, ~~registered public accountant~~, or registered foreign accountant must have completed 80 hours of acceptable continuing professional education, of which 16 hours shall be in accounting and auditing subjects, during the two-year period immediately preceding each biennial renewal date as a condition for renewal, except as provided under paragraphs (2) and (4) below. A minimum of 20 of the 80 hours shall have been earned in each year.

(2) An applicant for renewal of his individual permit to practice as a certified public accountant, ~~registered public accountant~~, or registered foreign accountant who has been initially certified by this State for one year, but less than two, shall have completed 40 hours of acceptable continuing professional education after the date of certification but prior to the expiration date of his first live permit, of which at least 8 hours of continuing professional education reported shall be in accounting and auditing subjects, as a condition for renewal. An applicant who has been initially certified as a certified public accountant, ~~a registered public accountant~~, or registered foreign accountant by this State for less than one year at the date of expiration of his first live permit shall not be required to have completed any hours of continuing professional education prior to that first expiration date as a condition for renewal.

(3) "Accounting and auditing courses" for purposes of this section shall be defined as follows:

(a) Accounting-related courses shall include, but not be limited to courses which enhance or develop understanding of generally accepted accounting principles, particularly as they relate to presentation of financial statements, as promulgated by authoritative literature in the United

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States and pronouncements of the Financial Accounting Standards Board and the Governmental Accounting Standards Board.

(b) Auditing-related courses shall include, but not be limited to, courses which enhance or develop understanding of generally accepted auditing standards, particularly as they relate to reporting on financial statements, (including related standards for compilation and review services) as promulgated by authoritative literature in the United States, including the Statement on Auditing Standards and the Statement on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants and standards issued by the Public Company Accounting Oversight Board as well as courses related to auditing in specialized industries (e.g. governmental auditing requirements) and environments (e.g. computer systems).

(4) Up to fifteen hours of acceptable education completed during the period immediately preceding the renewal date of a live permit in excess of the requirements for such preceding period may be applied to satisfaction of the continuing professional education requirements of the following period. No carryover hours can be used to satisfy the accounting and auditing hours requirement provided for in this section.

(5) Any licensee who has attained 70 years of age is exempt from the continuing professional education requirement for renewal of his individual permit to practice public accounting.

(6) The Board may relax or suspend the requirements of continuing professional education for reasons of individual hardship or health of the applicant.

Authority: O.C.G.A. §§43-3-5, 43-3-13, 43-3-25, and 43-3-36.1

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR CONTINUING PROFESSIONAL EDUCATION
CHAPTER 20-11**

Rule 20-11-.03 Programs Which Qualify

Purpose: Specifies qualifications of acceptable continuing professional education programs.

Main Features: Deletes reference to registered public accountant.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR CONTINUING
PROFESSIONAL EDUCATION**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-11-.03 Programs Which Qualify.

(1) The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice as a certified public accountant, ~~a registered public accountant~~, or a foreign accountant by this State, and which meets the minimum standards of quality of development and presentation and of measurement and reporting of credits set forth in the Statement on Standards for Continuing Professional Education Programs published by the National Association of State Boards of Accountancy, or such other educational standards as may be established from time to time by the Board.

(2) Subject Matter: The following general subject matters are acceptable so long as they meet the standards specified in subsection (1):

- (a) Accounting and auditing:
- (b) Taxation:
- (c) Management Services;
- (d) computer sciences:
- (e) Oral and written communications:
- (f) Mathematics and statistics:
- (g) Economics:
- (h) Business law;
- (i) Functional fields of business (e.g., finance, production, marketing, personnel relations, business management, and organization);
- (j) Specialized industries (e.g., real estate, agriculture, construction and financial institutions);

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(k) Administration of an accounting practice.

(3) Subjects of study other than those listed above will be acceptable if the applicant can demonstrate to the Board that they contribute directly to his professional competence. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests solely upon the applicant.

(4) Continuing education programs requiring class or meeting attendance;

(a) General requirements:

1. An outline of the program is prepared in advance by the program director and retained by the student;

2. The program is conducted by a person whose formal training and experience qualify him as a competent instructor;

3. Hours of continuing professional education shall be calculated in one-half continuing professional education credit hour increments after the first credit hour has been earned in a given learning activity;

4. A record of registration and attendance through substantially the entire program is maintained, a copy of which is retained by the student.

(b) The following programs will qualify provided the above are met;

1. Professional development programs of recognized national and state accounting organizations;

2. Technical sessions at meeting of recognized national and state accounting organizations and their chapters;

3. University or college courses, Credit courses, each semester hour credit shall equal 15 hours toward the requirement. A quarter hour credit shall equal 10 hours;

4. Noncredit courses from a college or university. Each classroom hour shall be deemed to be one hour of continuing professional education;

5. Formal organized in-firm or multi-firm education programs. Portions of meetings devoted to administration and firm matters cannot be included;

6. Programs in other recognized organizations (accounting, industrial, professional, etc.);

7. Dinner, luncheon and breakfast meetings of recognized accounting organizations may qualify if they meet the requirements of subparagraphs 1. and 2. of this Section.

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(5) Formal correspondence or other individual study programs may qualify provided that they are developed and conducted by qualified persons, require registration, and provide evidence of satisfactory completion. Programs should be pre-tested to determine average completion time, and credit shall be calculated on the basis of the average completion time.

(6) Credit may be awarded for published articles and books provided they contribute to the professional competence of the applicant. Credit for preparation of such publications may be given on a self-declaration basis up to 25% of the total hours required. In exceptional circumstances an applicant may request additional credit by submitting the article(s) or book(s) to the Board with an explanation of the circumstances which he feels justify a greater credit.

Authority: O.C.G.A. §§ 43-3-5, 43-3-13, and 43-3-25.

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR CODE OF PROFESSIONAL CONDUCT
CHAPTER 20-12**

RULE 20-12-.16 FORM OF PRACTICE

Purpose: Specifies authorized forms of public accountancy practice.

Main Features: Deletes reference to registered public accountant and delineates the authorized forms of practice.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR CODE OF
PROFESSIONAL CONDUCT**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-12-.16 Form of Practice.

A licensee may practice public accountancy only in a proprietorship, a partnership, an ~~professional~~ association ~~or a professional~~ corporation, or any legal entity which practices public accountancy. ~~organized in accordance with the Georgia Professional Corporation Act.~~

(a) A certified public accountant, ~~registered public accountant~~, or foreign accountant shall not form a partnership for the purpose of practicing public accounting with persons who are not certified public accountants, ~~registered public accountants~~ or foreign accountants.

Authority: O.C.G.A. §§ 43-3-2, 43-3-13, and 43-3-21

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR CODE OF PROFESSIONAL CONDUCT
CHAPTER 20-12**

RULE 20-12-.17 Firm Names

Purpose: Specifies parameters for firm name in the practice of public accountancy.

Main Features: Deletes reference to registered public accountant.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR CODE OF PROFESSIONAL CONDUCT**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-12-.17 Firm Names.

A licensee shall not practice public accountancy under a firm name which is misleading in any way as to the legal form of the firm or as to the persons who are partners, officers or shareholders of the firm, or as to any matter with respect to which public communications are restricted by Rule 20-12-.15. However, names of one or more past partners or shareholders may be included in the firm name of a partnership or corporation or its successor, and a partner or shareholder surviving the death or withdrawal of all other partners or shareholders may continue to practice under a partnership or corporate name for up to two years after becoming a sole practitioner or sole shareholder, provided however, that the name of any such former partner or former shareholder may not be used in the event that such past partner or past shareholder's license has been revoked, suspended or otherwise been the subject of action by the Board whereby the licensee has been prohibited, for any period of time from practicing public accountancy or prohibited from using the title CPA, ~~RPA~~ or holding himself out as a Certified Public Accountant or ~~Registered Public Accountant~~. The firm name is not intended to reflect those licensees who are solely employees of the firm, having no ownership interest in the firm.

Authority: O.C.G.A. §§ 43-1-19, 43-3-5, 43-3-13, 43-3-21, and 43-3-35

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**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF
ACCOUNTANCY RULES FOR PROCEDURAL RULES
CHAPTER 20-14**

RULE 20-14-.01 Procedural Rules

Purpose: Adopts Division Director rules as procedural rules for hearings.

Main Features: Deletes reference to State Examining Boards and replaces with Professional Licensing Boards Division.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF ACCOUNTANCY RULES FOR PROCEDURAL**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

20-14-.01 Procedural Rules.

The Georgia State Board of Accountancy hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of the Division Director, State Examining Professional Licensing Boards Division, relating to procedure for Hearings before the ~~several State Examining Professional Licensing Boards~~ Division

Authority: O.C.G.A. §§ 43-1-2 and 43-1-3

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STATE OF GEORGIA

COUNTY OF BIBB

**AFFIDAVIT SUPPORTING CLOSING
OF PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. § 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

Comes now Michael W. Skinner, the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the GEORGIA STATE BOARD OF ACCOUNTANCY.
2. I am over the age of 18 and in all over aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On September 28, 2005 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

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4. The legal authority for the closure of this meeting was:

OCGA 43-1-2 (k); 43-1-19(h)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

RECEIPT OF AND DELIBERATIONS REGARDING APPLICATIONS
AND APPLICATION INFORMATION AND DELIBERATIONS
REGARDING INVESTIGATIONS AND ENFORCEMENT MATTERS;
RECEIPT OF THE RESULTS OF INVESTIGATIONS.

FURTHER THE AFFIANT SAYETH NOT.

Michael W. Skinner
PRESIDING OFFICER

SWORN AND SUBSCRIBED BEFORE ME

This 28th day of September , 2005

Marie S. Urquhart
Notary Public